

**U.S. District Court
District of Columbia (Washington, DC)
CIVIL DOCKET FOR CASE #: 1:19-cv-00459-JEB**

DEMOCRACY FORWARD FOUNDATION v. UNITED
STATES DEPARTMENT OF STATE et al
Assigned to: Judge James E. Boasberg
Cause: 05:552 Freedom of Information Act

Date Filed: 02/25/2019
Jury Demand: None
Nature of Suit: 895 Freedom of
Information Act
Jurisdiction: U.S. Government Defendant

Plaintiff

**DEMOCRACY FORWARD
FOUNDATION**

represented by **Robin Frances Thurston**
DEMOCRACY FORWARD
FOUNDATION
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ATTORNEY TO BE NOTICED

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ATTORNEY TO BE NOTICED

V.

Defendant

**UNITED STATES DEPARTMENT OF
STATE**

represented by **Jason Todd Cohen**
U.S. ATTORNEY'S OFFICE FOR THE
DISTRICT OF COLUMBIA
555 Fourth Street, NW
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TERMINATED: 12/02/2019
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LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Defendant

**UNITED STATES DEPARTMENT OF
THE TREASURY**

represented by **Jason Todd Cohen**
(See above for address)
TERMINATED: 12/02/2019
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Sean Michael Tepe

(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Defendant

**UNITED STATES DEPARTMENT OF
HOMELAND SECURITY**

represented by **Jason Todd Cohen**
(See above for address)
TERMINATED: 12/02/2019
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Sean Michael Tepe
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Defendant

**UNITED STATES SMALL BUSINESS
ADMINISTRATION**

represented by **Jason Todd Cohen**
(See above for address)
TERMINATED: 12/02/2019
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Sean Michael Tepe
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Date Filed	#	Docket Text
02/25/2019	<u>1</u>	COMPLAINT against U.S. DEPARTMENT OF HOMELAND SECURITY, U.S. DEPARTMENT OF STATE, U.S. DEPARTMENT OF THE TREASURY, U.S. SMALL BUSINESS ADMINISTRATION (Filing fee \$ 400 receipt number 0090-5963410) filed by DEMOCRACY FORWARD FOUNDATION. (Attachments: # <u>1</u> Civil Cover Sheet, # <u>2</u> Summons, # <u>3</u> Summons, # <u>4</u> Summons, # <u>5</u> Summons, # <u>6</u> Summons, # <u>7</u> Summons, # <u>8</u> Exhibit A, # <u>9</u> Exhibit B, # <u>10</u> Exhibit C, # <u>11</u> Exhibit D, # <u>12</u> Exhibit E, # <u>13</u> Exhibit F, # <u>14</u> Exhibit G, # <u>15</u> Exhibit H, # <u>16</u> Exhibit I)(Shah, Nitin) (Entered: 02/25/2019)
02/25/2019	<u>2</u>	LCvR 26.1 CERTIFICATE OF DISCLOSURE of Corporate Affiliations and Financial Interests by DEMOCRACY FORWARD FOUNDATION (Shah, Nitin) (Entered: 02/25/2019)
02/25/2019		Case Assigned to Judge James E. Boasberg. (zef,) (Entered: 02/25/2019)
02/25/2019	<u>3</u>	SUMMONS (6) Issued Electronically as to UNITED STATES DEPARTMENT OF HOMELAND SECURITY, UNITED STATES DEPARTMENT OF STATE, UNITED STATES DEPARTMENT OF THE TREASURY, UNITED STATES SMALL BUSINESS ADMINISTRATION, U.S. Attorney and U.S. Attorney General. (Attachments: # <u>1</u> Notice and Consent)(zef,) (Entered: 02/25/2019)
03/06/2019	<u>4</u>	RETURN OF SERVICE/AFFIDAVIT of Summons and Complaint Executed as to the United States Attorney. Date of Service Upon United States Attorney on 2/28/2019. (Answer due for ALL FEDERAL DEFENDANTS by 3/30/2019.), RETURN OF SERVICE/AFFIDAVIT of Summons and Complaint Executed on United States Attorney General. Date of Service Upon United States Attorney General 2/28/19., RETURN OF SERVICE/AFFIDAVIT of Summons and Complaint Executed. UNITED STATES DEPARTMENT OF HOMELAND SECURITY served on 3/6/2019; UNITED STATES DEPARTMENT OF STATE served on 2/27/2019; UNITED STATES DEPARTMENT OF THE TREASURY served on 2/27/2019; UNITED STATES SMALL BUSINESS ADMINISTRATION served on 2/26/2019 (Attachments: # <u>1</u> Declaration)(Shah, Nitin) (Entered: 03/06/2019)

03/07/2019	<u>5</u>	NOTICE of Voluntary Dismissal re U.S. Small Business Administration (Shah, Nitin) (Entered: 03/07/2019)
03/26/2019	<u>6</u>	RETURN OF SERVICE/AFFIDAVIT of Summons and Complaint Executed as to the United States Attorney. Date of Service Upon United States Attorney on 2/28/2019. (Answer due for ALL FEDERAL DEFENDANTS by 3/30/2019.), RETURN OF SERVICE/AFFIDAVIT of Summons and Complaint Executed on United States Attorney General. Date of Service Upon United States Attorney General 2/28/19., RETURN OF SERVICE/AFFIDAVIT of Summons and Complaint Executed. UNITED STATES DEPARTMENT OF STATE served on 3/26/2019 (Attachments: # <u>1</u> Declaration)(Shah, Nitin) (Entered: 03/26/2019)
04/01/2019	<u>7</u>	NOTICE of Appearance by Jason Todd Cohen on behalf of All Defendants (Cohen, Jason) (Entered: 04/01/2019)
04/01/2019	<u>8</u>	ANSWER to Complaint by UNITED STATES DEPARTMENT OF HOMELAND SECURITY, UNITED STATES DEPARTMENT OF STATE, UNITED STATES DEPARTMENT OF THE TREASURY, UNITED STATES SMALL BUSINESS ADMINISTRATION.(Cohen, Jason) (Entered: 04/01/2019)
04/02/2019		MINUTE ORDER: The Court ORDERS that the parties shall confer and submit a joint proposed briefing schedule by April 16, 2019. So ORDERED by Judge James E. Boasberg on 4/2/2019. (lcjeb2) (Entered: 04/02/2019)
04/02/2019		Set/Reset Deadlines: Joint Proposed Briefing Schedule due by 4/16/2019. (znbn) (Entered: 04/02/2019)
04/09/2019	<u>9</u>	MOTION for Extension of Time to File <i>Joint Proposed Briefing Schedule</i> by UNITED STATES DEPARTMENT OF HOMELAND SECURITY, UNITED STATES DEPARTMENT OF STATE, UNITED STATES DEPARTMENT OF THE TREASURY, UNITED STATES SMALL BUSINESS ADMINISTRATION (Cohen, Jason) (Entered: 04/09/2019)
04/10/2019		MINUTE ORDER GRANTING Defendants' <u>9</u> Motion for Extension of Time. The Court ORDERS that the parties shall confer and submit a joint proposed briefing schedule by May 16, 2019. So ORDERED by Judge James E. Boasberg on 4/10/2019. (lcjeb2) (Entered: 04/10/2019)
04/10/2019	<u>10</u>	RESPONSE re <u>9</u> MOTION for Extension of Time to File <i>Joint Proposed Briefing Schedule</i> filed by DEMOCRACY FORWARD FOUNDATION. (Thurston, Robin) (Entered: 04/10/2019)
04/10/2019		Set/Reset Deadlines: Joint Proposed Briefing Schedule due by 5/16/2019. (znbn) (Entered: 04/10/2019)
05/16/2019	<u>11</u>	Joint STATUS REPORT by DEMOCRACY FORWARD FOUNDATION. (Shah, Nitin) (Entered: 05/16/2019)
05/16/2019		MINUTE ORDER: The Court ADOPTS the parties' <u>11</u> Joint Status Report and ORDERS that they shall submit a further joint status report by June 28, 2019. So ORDERED by Judge James E. Boasberg on 5/16/2019. (lcjeb2) (Entered: 05/16/2019)
05/16/2019		Set/Reset Deadlines: Status Report due by 6/28/2019. (znbn) (Entered: 05/17/2019)
06/28/2019	<u>12</u>	Joint STATUS REPORT by UNITED STATES DEPARTMENT OF HOMELAND SECURITY, UNITED STATES DEPARTMENT OF STATE, UNITED STATES DEPARTMENT OF THE TREASURY. (Cohen, Jason) (Entered: 06/28/2019)
07/01/2019		MINUTE ORDER: The Court ORDERS that the parties shall submit a further joint status report by July 26, 2019, and that DHS shall therein either provide the number of potentially responsive documents or indicate when it will have such information. So ORDERED by Judge James E. Boasberg on 7/1/2019. (lcjeb2) (Entered: 07/01/2019)
07/01/2019		Set/Reset Deadlines: Joint Status Report due by 7/26/2019. (znbn) (Entered: 07/01/2019)
07/26/2019	<u>13</u>	Joint STATUS REPORT by UNITED STATES DEPARTMENT OF HOMELAND SECURITY, UNITED STATES DEPARTMENT OF STATE, UNITED STATES DEPARTMENT OF THE TREASURY. (Cohen, Jason) (Entered: 07/26/2019)

07/29/2019		MINUTE ORDER: The Court ADOPTS the parties' <u>13</u> Joint Status Report and ORDERS that they shall submit a further joint status report by August 26, 2019. So ORDERED by Judge James E. Boasberg on 7/29/2019. (lcjeb2) (Entered: 07/29/2019)
07/29/2019		Set/Reset Deadlines: Joint Status Report due by 8/26/2019. (znbn) (Entered: 07/29/2019)
08/26/2019	<u>14</u>	STATUS REPORT by DEMOCRACY FORWARD FOUNDATION. (Shah, Nitin) (Entered: 08/26/2019)
08/26/2019	<u>15</u>	STATUS REPORT by UNITED STATES DEPARTMENT OF HOMELAND SECURITY, UNITED STATES DEPARTMENT OF STATE, UNITED STATES DEPARTMENT OF THE TREASURY. (Cohen, Jason) (Entered: 08/26/2019)
08/27/2019		MINUTE ORDER: The Court ORDERS that the parties shall appear on September 6, 2019, at 9:30 a.m. to discuss a schedule for processing and production. So ORDERED by Judge James E. Boasberg on 08/27/2019. (lcjeb2) (Entered: 08/27/2019)
08/27/2019		Set/Reset Hearings: Status Conference set for 9/6/2019 at 09:30 AM in Courtroom 25A before Judge James E. Boasberg. (znbn) (Entered: 08/27/2019)
09/01/2019	<u>16</u>	MOTION to Change Date of Status Conference by UNITED STATES DEPARTMENT OF HOMELAND SECURITY, UNITED STATES DEPARTMENT OF STATE, UNITED STATES DEPARTMENT OF THE TREASURY (Cohen, Jason) Modified event on 9/4/2019 (znmw). (Entered: 09/01/2019)
09/03/2019		MINUTE ORDER GRANTING Defendants' <u>16</u> Motion to Change Date of Status Conference. The Court ORDERS that the Status Conference set for September 6, 2019, at 9:30 a.m. is VACATED and RESET for September 17, 2019, at 10:00 a.m. in Courtroom 25. So ORDERED by Judge James E. Boasberg on 09/03/2019. (lcjeb2) (Entered: 09/03/2019)
09/04/2019		Set/Reset Hearings: Status Conference set for 9/17/2019 at 10:00 AM in Courtroom 25A before Judge James E. Boasberg. (znbn) (Entered: 09/04/2019)
09/17/2019		Minute Entry for proceedings held before Judge James E. Boasberg: Status Conference held on 9/17/2019. Order forthcoming. (Court Reporter Lisa Griffith) (znbn) (Entered: 09/17/2019)
09/17/2019		MINUTE ORDER: As discussed at today's status hearing, the Court ORDERS that: 1) By October 1, 2019, DHS shall run the search limited to communications to and from political appointees; and 2) By October 8, 2019, the parties shall file a joint status report discussing the number of documents identified in the new search and proposals for processing and production of such documents. So ORDERED by Judge James E. Boasberg on 09/17/2019. (lcjeb2) (Entered: 09/17/2019)
09/17/2019		Set/Reset Deadlines: DHS shall run the search limited to communications to and from political appointees by 10/1/2019. Joint Status Report due by 10/8/2019. (znbn) (Entered: 09/17/2019)
10/08/2019	<u>17</u>	Joint STATUS REPORT by UNITED STATES DEPARTMENT OF HOMELAND SECURITY, UNITED STATES DEPARTMENT OF STATE, UNITED STATES DEPARTMENT OF THE TREASURY. (Cohen, Jason) (Entered: 10/08/2019)
10/08/2019		MINUTE ORDER: The Court ADOPTS the parties' <u>17</u> Joint Status Report and ORDERS that they shall submit a further joint status report by December 10, 2019. So ORDERED by Judge James E. Boasberg on 10/8/2019. (lcjeb2) (Entered: 10/08/2019)
10/08/2019		Set/Reset Deadlines: Joint Status Report due by 12/10/2019. (nbn) (Entered: 10/09/2019)
12/02/2019	<u>18</u>	NOTICE OF SUBSTITUTION OF COUNSEL by Sean Michael Tepe on behalf of All Defendants Substituting for attorney Jason Cohen (Tepe, Sean) (Entered: 12/02/2019)